

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 16, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - ZON-12167 - APPLICANT/OWNER: PORTICO PROPERTIES

THIS ITEM WAS HELD IN ABEYANCE FROM THE JULY 12, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-3 vote/lc, sd, se) recommends APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-12164) to an H (High Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review (SDR-12165) application approved by the City of Las Vegas prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a rezoning from R-3 (Medium Density Residential) to R-4 (High Density Residential) on 8.6 acres at 2301 Valley View Boulevard.

EXECUTIVE SUMMARY

The proposed project calls for the conversion of an existing storage building into six apartments, resulting in a density of 26.27 dwelling units per acre. This increased density would require a Rezoning of the subject site from R-3 (Medium Density Residential) to R-4 (High Density Residential). The density of development that is allowed by the proposed R-4 zoning district is not compatible with existing development in the area.

BACKGROUND INFORMATION

A) Related Actions

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| 1976 | Apartments were constructed on the subject site. |
| 04/13/06 | The Planning Commission recommended approval of a General Plan Amendment (GPA-12164), Variance (VAR-12168) and Site Development Plan Review (SDR-12128) concurrent with this application. |
| 04/13/06 | The Planning Commission voted 4-3/ld, sd, se to recommend APPROVAL (PC Agenda Item #18/ar). |

B) Pre-Application Meeting

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| 02/17/06 | Staff noted the following issues at the pre-application meeting: <ul style="list-style-type: none">▪ All off-street parking needs to comply with Title 19.10▪ A Variance will be required to allow 346 parking spaces where 351 are required.▪ Staff suggested that the applicant meet with the Building and Safety Department to discuss building code issues.▪ The applicant is required to hold a neighborhood meeting in conjunction with the related General Plan Amendment application. |
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C) Neighborhood Meetings

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting for the related General Plan Amendment (GPA-12164) is required to be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on Thursday, March 16, 2006, a meeting was held at the Spanish Oaks Apartments clubhouse/leasing office, located at 2301 Valley View Boulevard. Two people attended and had the following questions/comments:

- Concerns about what was going to be built adjacent to the northern boundary of the property.
- Would the project hurt the surrounding property values?
- Is the project going to add landscaping?
- Architect noted that no new buildings would be built.
- An existing single story storage area is proposed to be converted into six studio units.
- The Architect walked outside to show the two residents where the storage units were located.
- No objections to the proposal other than the questions stated above were provided.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	8.6
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B) Existing Land Use

Subject Property	Apartments
North	Townhomes
South	Shopping center
East	Townhomes
West	Single Family Dwellings

C) Planned Land Use

Subject Property	M (Medium Density Residential)
North	L (Low Density Residential)
South	SC (Service Commercial)
East	L (Low Density Residential)
West	L (Low Density Residential)

D) Existing Zoning

Subject Property	R-3 (Medium Density Residential)
North	R-PD6 (Residential Planned Development, 6 units per acre)
South	C-1 (Limited Commercial)
East	R-PD6 (Residential Planned Development, 6 units per acre)
West	R-1 (Single Family Residential)

<i>SPECIAL DISTRICTS/ZONES</i>	YES	NO
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

There are no special plan areas or overlays that affect this application.

E) Density

<i>EXISTING ZONING</i>	<i>PERMITTED DENSITY</i>	<i>PROPOSED ZONING</i>	<i>PERMITTED DENSITY</i>	<i>GENERAL PLAN</i>	<i>PERMITTED DENSITY</i>
R-3	25 du/ac	R-4	50 du/ac	M	25.49du/ac

F) General Analysis and Discussion

The applicant is proposing to convert an existing storage building into six apartments. Because this will increase the density of development of the site to 26.27 dwelling units per acre, the applicant has requested a Rezoning from R-3 (Medium Density Residential) to R-4 (High Density Residential) on the subject site.

The change in zoning would permit an increase in the density of development from a maximum of 25 units per acre to a maximum of 50 units per acre. This is a substantial increase in the density of residential development compared to the densities of development adjacent to the subject parcels.

The proposed zoning district is not recommended as it is not compatible with the R-PD6 (Residential Planned Development, 6 units per acre) to the north and east.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. “The proposal conforms to the General Plan.”

With approval of the companion General Plan Amendment (GPA-12164) to an H (High Density Residential) land use designation the proposed development will be in conformance to the General Plan.

2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”

The proposed project calls for the conversion of an existing storage building into six apartments, resulting in a density of 26.27 dwelling units per acre. The proposed project is out of character with adjacent development and not compatible with the R-PD6 (Residential Planned Development, 6 units per acre) to the north and east.

3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”

The surrounding community consists predominately of single-family homes on lots which are zoned R-PD6 (Residential Planned Development - 6 Units Per Acre). The density of development that is allowed by the proposed R-4 (High Density Residential) zoning district is not compatible with existing development in the area.

4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

Valley View Boulevard, an 80 foot wide Secondary Collector as designated by the Master Plan of Streets and Highways, can provide adequate transportation access.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 399 by Planning Department

APPROVALS 0

PROTESTS 0